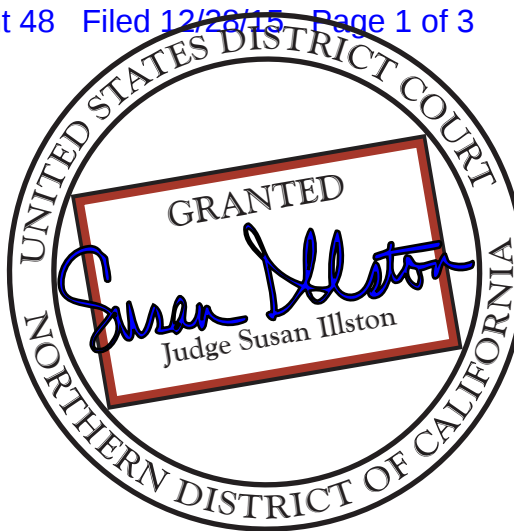


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Attorneys for Ed Fleming Company dba
 Fleming & Associates



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

CONTINENTAL CASUALTY COMPANY,)
 an Illinois corporation,)

Plaintiff,)

v.)

RECOLOGY, INC f/k/a NORCAL WASTE)
 SYSTEMS, INC., a California corporation)

Defendant.)

RECOLOGY, INC. f/k/a NORCAL WASTE)
 SYSTEMS, INC., a California corporation)

Third Party Plaintiff,)

v.)

FLEMING & ASSOCIATES, a business)
 entity of unknown form, a/k/a ED FLEMING)
 COMPANY a California corporation, et al)

Third Party Defendants)

CASE NO. 3:15-cv-03969-SI

STIPULATION TO CONTINUE
 RESPONSE DATE TO THIRD PARTY
 COMPLAINT (Local Rule 6-1)

THE HON. SUSAN ILLSTON

Third Party Complaint Filed: 11-30-2015
 Third Party Complaint Served: 12-02-2015
 Current Response Date: 12-23-2015
 New Response Date: 01-15-2016
 Trial Date: 07-24-2017

TO THE HONORABLE SUSAN ILLSTON, UNITED STATES DISTRICT COURT JUDGE;
 AND TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Ed Fleming Company, Inc. d/b/a Fleming & Associates, Third Party Defendant in the above-
 captioned case, and Third Party Plaintiff Recology, Inc f/k/a NorCal Waste Systems, Inc., by and

1 through their respective counsel hereby stipulate as follows:

2 **RECITALS**

3 1. WHEREAS, Plaintiff Recology, Inc. f/k/a/ Norcal Waste Systems, Inc., a California
4 corporation filed its Third Party Complaint, in Case No. 3:15-cv-03969 on November 30, 2015 and
5 named Ed Fleming Company d/b/a Fleming & Associates ("Fleming") as a Third Party Defendant.

6 2. WHEREAS, on December 2, 2015, Fleming was served by personally serving Fleming's
7 agent for service of process.

8 3. WHEREAS, by virtue of the December 2, 2015 personal service, Fleming's response to the
9 Third Party Complaint is due on December 23, 2015.

10 4. WHEREAS, in anticipation of being retained by Fleming to represent it, on December 21,
11 2015, Kenderton S. Lynch of Krafchak & Lynch contacted Third Party Plaintiff's counsel, Charles R.
12 Rondeau, and requested an extension of time to respond to the Third Party Complaint.

13 5. WHEREAS, on December 21, 2015 Charles R. Rondeau agreed to an extension of time to
14 respond to the Third Party Complaint.

15 6. WHEREAS, on December 22, 2015 Fleming retained Krafchak & Lynch to represent it.

16 7. WHEREAS, Krafchak & Lynch has had insufficient time to prepare a meaningful response to
17 the Third Party Complaint and the Parties through their respect counsel have agreed to an extension of
18 time to respond to the Third Party Complaint.

19 NOW THEREFORE, it is hereby stipulated and agreed by and between the Parties that:

20 **STIPULATION**

21 1. The response time for Fleming to respond to the Third Party Complaint is hereby extended to
22 January 15, 2016.

23 2. This Stipulation may be executed in counterparts, which shall be considered together as a
24 single document. Furthermore, this Stipulation may be executed by facsimile copy or PDF, and

25 ///

26 ///

27 ///

1 facsimile or PDF signatures will be treated as original signatures.

2 **IT IS SO STIPULATED**

3
4 Dated: December 22, 2015

ROXBOROUGH, POMERANCE, NYE &
ADRENANI, LLP

5
6 /s/ Charles R. Rondeau

7 By: Charles R. Rondeau or Burton Falk
8 Attorneys for Recology, Inc. f/k/a Noral Waste
9 Systems, Inc.

10 Dated: December 22, 2015

KRAFCHAK & LYNCH

11
12 /s/ Kenderton S. Lynch

13 By: Kenderton S. Lynch
14 Attorneys for Ed Fleming Company, Inc. dba
15 Fleming & Associates.